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Dkt. 2271/69840

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shinya NARUMI et al.

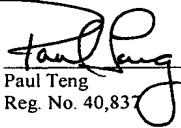
Serial No.: 10/618,244

Group Art Unit: 2627

Date Filed: July 11, 2003

Examiner: Tawfik Goma

For: OPTICAL INFORMATION RECORDING MEDIUM, METHOD FOR
DETERMINING RECORDING CONDITION, OPTICAL INFORMATION
RECORDING APPARATUS, AND INFORMATION PROCESSING APPARATUS

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 Paul Teng Reg. No. 40,837	March 4, 2008 Date

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INFORMATION DISCLOSURE STATEMENT

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97(b)(4). A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 was filed on February 22, 2008. To the best of Applicant(s) knowledge, this Information Disclosure Statement is being filed before the date of mailing of a first Office Action on the merits after the RCE filed on February 22, 2008 in connection with this application.

Alternatively, Applicant requestes consideration of this Information Disclosure Statement under 37 C.F.R. §1.97(c)(1). The reference listed in the annexed Form PTO-1449 was cited in a January 15, 2008 Japanese official action (copy enclosed) in connection with a counterpart Japanese patent application. The reference listed in the annexed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the information cited in the annexed Form PTO-1449 be

considered by the Examiner in connection with the above-identified patent application, and that such art be made of record in said application.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these items are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of the particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

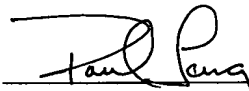
The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

According to the August 5, 2003 OG Notice published by the Patent and Trademark Office, the Office has waived the requirement under 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each cited U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international application that have entered the national stage under 35 U.S.C. §371 after June 30, 2003.

Accordingly, copies are submitted herewith for only references listed on the annexed Form PTO-1449 that are not a U.S. patent or U.S. patent application publication.

The Patent Office is hereby authorized to charge any fees that are required for consideration of this Information Disclosure Statement and to credit any overpayment to our Deposit Account No. 03-3125.

Respectfully submitted,



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